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Attorneys for Defendant FOX LUGGAGE, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

SINCERE ORIENT COMMERCIAL
CORPORATION, a California
corporation,

Plaintiff,

v.

CITY OF INDUSTRY, SUCCESSOR
AGENCY TO THE INDUSTRY
URBAN-DEVELOPMENT
AGENCY, California unit of local
government; FOX LUGGAGE, INC. a
California corporation; and DOES 1
through 50, inclusive,

Defendants.

CASE No.: 2:17-CV-04755-PSG-RAO

**[PROPOSED] DEFENDANT FOX
LUGGAGE, INC.'S ANSWER TO
PLAINTIFF'S FIRST AMENDED
COMPLAINT AND REQUEST FOR
JURY TRIAL**

Defendant FOX LUGGAGE, INC., ("Defendant"), for itself and no other
defendants, hereby answers Plaintiff SINCERE ORIENT COMMERCIAL
CORPORATION ("Plaintiff")'s First Amended Complaint ("Complaint"), using
the same headings and paragraph numbers as in the Complaint, in this matter as

1 follows:

2
3 **NATURE OF THE CASE**

4 In response to this paragraph of the Complaint, Defendant lacks sufficient
5 information to admit or deny, and on that basis, denies the allegations in this
6 paragraph.

7
8 **JURISDICTION AND VENUE**

9 1. In response to paragraph 1 of the Complaint, Defendant lacks
10 sufficient information to admit or deny, and on that basis, denies the allegations in
11 this paragraph.

12 2. In response to paragraph 2 of the Complaint, Defendant admits that
13 this Court has jurisdiction over the subject matters pursuant to 28 U.S.C. §1331 and
14 §1337, and Defendant lacks sufficient information to admit or deny, and on that
15 basis, denies the remaining allegations in this paragraph.

16 3. In response to paragraph 3 of the Complaint, Defendant admits the
17 venue is proper, and Defendant lacks sufficient information to admit or deny, and
18 on that basis, denies the remaining allegations in this paragraph.

19
20 **PARTIES**

21 4. In response to paragraph 4 of the Complaint, Defendant lacks
22 sufficient information to admit or deny, and on that basis, denies the allegations in
23 this paragraph.

24 5. In response to paragraph 5 of the Complaint, Defendant lacks
25 sufficient information to admit or deny, and on that basis, denies the allegations in
26 this paragraph.

27 6. In response to paragraph 6 of the Complaint, Defendant admits that
28 Fox Luggage, Inc. is a California corporation.

GENERAL ALLEGATIONS

7. In response to paragraph 7 of the Complaint, Defendant lacks sufficient information to admit or deny, and on that basis, denies the allegations in this paragraph.

8. In response to paragraph 8 of the Complaint, Defendant lacks sufficient information to admit or deny, and on that basis, denies the allegations in this paragraph.

9. In response to paragraph 9 of the Complaint, Defendant admits that there is an Exhibit A attached to the Complaint which appears to be copies of various documents and Defendant lacks sufficient information to admit or deny the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

10. In response to paragraph 10 of the Complaint, Defendant admits that there is an Exhibit B attached to the Complaint which appears to be a copy of a document with a copy of a check and Defendant lacks sufficient information to admit or deny the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

11. In response to paragraph 11 of the Complaint, Defendant admits that there is an Exhibit C attached to the Complaint which appears to be a copy of a letter and Defendant lacks sufficient information to admit or deny the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

12. In response to paragraph 12 of the Complaint, Defendant admits that there is an Exhibit D attached to the Complaint which appears to be copies of various documents and Defendant lacks sufficient information to admit or deny the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

1 13. In response to paragraph 13 of the Complaint, Defendant admits that
2 there is an Exhibit E attached to the Complaint which appears to be copies of
3 various documents and Defendant lacks sufficient information to admit or deny the
4 remaining allegations in this paragraph, and on that basis, denies the remaining
5 allegations in this paragraph.

6 14. In response to paragraph 14 of the Complaint, Defendant admits that
7 there is an Exhibit F attached to the Complaint which appears to be a copy of a
8 letter and Defendant lacks sufficient information to admit or deny the remaining
9 allegations in this paragraph, and on that basis, denies, the remaining allegations in
10 this paragraph.

11 15. In response to paragraph 15 of the Complaint, Defendant admits that
12 there is an Exhibit G attached to the Complaint which appears to be copies of
13 various documents and Defendant lacks sufficient information to admit or deny the
14 remaining allegations in this paragraph, and on that basis, denies the remaining
15 allegations in this paragraph.

16 16. In response to paragraph 16 of the Complaint, Defendant admits that
17 there is an Exhibit H attached to the Complaint which appears to be a copy of a
18 letter with an attachment and Defendant lacks sufficient information to admit or
19 deny the remaining allegations in this paragraph, and on that basis, denies the
20 remaining allegations in this paragraph.

21 17. In response to paragraph 17 of the Complaint, Defendant admits that
22 there is an Exhibit I attached to the Complaint which appears to be a copy of a letter
23 and Defendant lacks sufficient information to admit or deny the remaining
24 allegations in this paragraph, and on that basis, denies the remaining allegations in
25 this paragraph.

26 18. In response to paragraph 18 of the Complaint, Defendant admits that
27 there is an Exhibit J attached to the Complaint which appears to be a copy of a letter
28 and Defendant lacks sufficient information to admit or deny the remaining

1 allegations in this paragraph, and on that basis, denies the remaining allegations in
2 this paragraph.

3 19. In response to paragraph 19 of the Complaint, Defendant admits that
4 there is an Exhibit K attached to the Complaint which appears to be copies of
5 various documents and Defendant lacks sufficient information to admit or deny the
6 remaining allegations in this paragraph, and on that basis, denies the remaining
7 allegations in this paragraph.

8 20. In response to paragraph 20 of the Complaint, Defendant admits that
9 there is an Exhibit L attached to the Complaint which appears to be a copy of a
10 document and Defendant lacks sufficient information to admit or deny the
11 remaining allegations in this paragraph, and on that basis, denies the remaining
12 allegations in this paragraph.

13 21. In response to paragraph 21 of the Complaint, Defendant admits that
14 there is an Exhibit M attached to the Complaint which appears to be copies of
15 various documents and Defendant lacks sufficient information to admit or deny the
16 remaining allegations in this paragraph, and on that basis, denies the remaining
17 allegations in this paragraph.

18 22. In response to paragraph 22 of the Complaint, Defendant admits that
19 there is an Exhibit N attached to the Complaint which appears to be a copy of a
20 letter and Defendant lacks sufficient information to admit or deny the remaining
21 allegations in this paragraph, and on that basis, denies the remaining allegations in
22 this paragraph.

23 23. In response to paragraph 23 of the Complaint, Defendant admits that
24 there is an Exhibit O attached to the Complaint which appears to be a copy of a
25 letter and Defendant lacks sufficient information to admit or deny the remaining
26 allegations in this paragraph, and on that basis, denies the remaining allegations in
27 this paragraph.

28 24. In response to paragraph 24 of the Complaint, Defendant lacks

1 sufficient information to admit or deny, and on that basis, denies the allegations in
2 this paragraph.

3 25. In response to paragraph 25 of the Complaint, Defendant admits that
4 there is an Exhibit P attached to the Complaint which appears to be a copy of a
5 letter with an attachment and Defendant lacks sufficient information to admit or
6 deny the remaining allegations in this paragraph, and on that basis, denies the
7 remaining allegations in this paragraph.

8 26. In response to paragraph 26 of the Complaint, Defendant lacks
9 sufficient information to admit or deny, and on that basis, denies the allegations in
10 this paragraph.

11 27. In response to paragraph 27 of the Complaint, Defendant lacks
12 sufficient information to admit or deny, and on that basis, denies the allegations in
13 this paragraph.

14 28. In response to paragraph 28 of the Complaint, Defendant lacks
15 sufficient information to admit or deny, and on that basis, denies the allegations in
16 this paragraph.

17 29. In response to paragraph 29 of the Complaint, Defendant lacks
18 sufficient information to admit or deny, and on that basis, denies the allegations in
19 this paragraph.

20 30. In response to paragraph 30 of the Complaint, Defendant lacks
21 sufficient information to admit or deny, and on that basis, denies the allegations in
22 this paragraph.

23 31. In response to paragraph 31 of the Complaint, Defendant lacks
24 sufficient information to admit or deny, and on that basis, denies the allegations in
25 this paragraph.

26 32. In response to paragraph 32 of the Complaint, Defendant lacks
27 sufficient information to admit or deny, and on that basis, denies the allegations in
28 this paragraph.

1 33. In response to paragraph 33 of the Complaint, Defendant lacks
2 sufficient information to admit or deny, and on that basis, denies the allegations in
3 this paragraph.

4 34. In response to paragraph 34 of the Complaint, Defendant lacks
5 sufficient information to admit or deny, and on that basis, denies the allegations in
6 this paragraph.

7 35. In response to paragraph 35 of the Complaint, Defendant admits that
8 there is an Exhibit Q attached to the Complaint which appears to be a copy of a
9 couple of letters and Defendant lacks sufficient information to admit or deny the
10 remaining allegations in this paragraph, and on that basis, denies the remaining
11 allegations in this paragraph.

12 36. In response to paragraph 36 of the Complaint, Defendant admits that
13 there is an Exhibit R attached to the Complaint which appears to be a copy of a
14 letter with several attachments and Defendant lacks sufficient information to admit
15 or deny the remaining allegations in this paragraph, and on that basis, denies the
16 remaining allegations in this paragraph.

17
18 **FIRST CAUSE OF ACTION**

19 **(To Enjoin or Set Aside Unlawful Sale of Public Property)**

20 37. In response to paragraph 37 of the Complaint, Defendant hereby re-
21 alleges and incorporates by reference each and every admission or denial contained
22 in the paragraphs above as though fully set forth herein.

23 38. In response to paragraph 38 of the Complaint, Defendant denies the
24 allegations in this paragraph.

25 39. In response to paragraph 39 of the Complaint, Defendant denies the
26 allegations in this paragraph.

27 40. In response to paragraph 40 of the Complaint, Defendant denies the
28 allegations in this paragraph.

SECOND CAUSE OF ACTION

Fraud

**Against City of Industry, Successor Agency to The Industry Urban-
Development Agency**

41. In response to paragraph 41 of the Complaint, Defendant hereby re-alleges and incorporates by reference each and every admission or denial contained in the paragraphs above as though fully set forth herein.

42. In response to paragraph 42 of the Complaint, Defendant lacks sufficient information to admit or deny, and on that basis, denies the allegations in this paragraph.

43. In response to paragraph 43 of the Complaint, Defendant lacks sufficient information to admit or deny, and on that basis, denies the allegations in this paragraph.

44. In response to paragraph 44 of the Complaint, Defendant lacks sufficient information to admit or deny, and on that basis, denies the allegations in this paragraph.

45. In response to paragraph 45 of the Complaint, Defendant lacks sufficient information to admit or deny, and on that basis, denies the allegations in this paragraph.

46. In response to paragraph 46 of the Complaint, Defendant lacks sufficient information to admit or deny, and on that basis, denies the allegations in this paragraph.

47. In response to paragraph 47 of the Complaint, Defendant lacks sufficient information to admit or deny, and on that basis, denies the allegations in this paragraph.

48. In response to paragraph 48 of the Complaint, Defendant lacks sufficient information to admit or deny, and on that basis, denies the allegations in

1 this paragraph.

2 49. In response to paragraph 49 of the Complaint, Defendant lacks
3 sufficient information to admit or deny, and on that basis, denies the allegations in
4 this paragraph.

5 50. In response to paragraph 50 of the Complaint, Defendant lacks
6 sufficient information to admit or deny, and on that basis, denies the allegations in
7 this paragraph.

8 51. In response to paragraph 51 of the Complaint, Defendant lacks
9 sufficient information to admit or deny, and on that basis, denies the allegations in
10 this paragraph.

11
12 **THIRD CAUSE OF ACTION**

13 **Violation of the Racketeer Influenced and Corrupt Organization (RICO) Act**
14 **(18 U.S.C. 1982(c) and 1964(a)) Against All Defendants**

15 52. In response to paragraph 52 of the Complaint, Defendant hereby re-
16 alleges and incorporates by reference each and every admission or denial contained
17 in the paragraphs above as though fully set forth herein.

18 53. In response to paragraph 53 of the Complaint, Defendant admits that
19 there is a quote of 18 U.S.C. § 1343 and Defendant denies the remaining allegations
20 in this paragraph.

21 54. In response to paragraph 54 of the Complaint, Defendant denies the
22 allegations in this paragraph.

23 55. In response to paragraph 55 of the Complaint, Defendant denies the
24 allegations in this paragraph.

25 56. In response to paragraph 56 of the Complaint, Defendant denies the
26 allegations in this paragraph.

27 57. In response to paragraph 57 of the Complaint, Defendant denies the
28 allegations in this paragraph.

1 58. In response to paragraph 58 of the Complaint, Defendant denies the
2 allegations in this paragraph.

3
4 **FOURTH CAUSE OF ACTION**

5 **Sherman Act §1, Unreasonable Restraint of Trade Against All Defendants**

6 59. In response to paragraph 59 of the Complaint, Defendant hereby re-
7 alleges and incorporates by reference each and every admission or denial contained
8 in the paragraphs above as though fully set forth herein.

9 60. In response to paragraph 60 of the Complaint, Defendant admits that
10 there is a partial quote of the Sherman Act (15 U.S.C. §1) and Defendant denies the
11 remaining allegations in this paragraph.

12 61. In response to paragraph 61 of the Complaint, Defendant admits that
13 there is a partial quote of the Clayton Act (15 U.S.C. §15(a)) and Defendant denies
14 the remaining allegations in this paragraph.

15 62. In response to paragraph 62 of the Complaint, Defendant lacks
16 sufficient information to admit or deny, and on that basis, denies the allegations in
17 this paragraph.

18 63. In response to paragraph 63 of the Complaint, Defendant denies the
19 allegations in this paragraph.

20 64. In response to paragraph 64 of the Complaint, Defendant denies the
21 allegations in this paragraph.

22 65. In response to paragraph 65 of the Complaint, Defendant denies the
23 allegations in this paragraph.

24 66. In response to paragraph 66 of the Complaint, Defendant denies the
25 allegations in this paragraph.

26 67. In response to paragraph 67 of the Complaint, Defendant denies the
27 allegations in this paragraph.

28 68. In response to paragraph 68 of the Complaint, Defendant denies the

1 allegations in this paragraph.

2 69. In response to paragraph 69 of the Complaint, Defendant denies the
3 allegations in this paragraph.

4 70. In response to paragraph 70 of the Complaint, Defendant denies the
5 allegations in this paragraph.

6 71. In response to paragraph 71 of the Complaint, Defendant denies the
7 allegations in this paragraph.

8 72. In response to paragraph 72 of the Complaint, Defendant denies the
9 allegations in this paragraph.

10 73. In response to paragraph 73 of the Complaint, Defendant denies the
11 allegations in this paragraph.

12 74. In response to paragraph 74 of the Complaint, Defendant denies the
13 allegations in this paragraph.

14
15 **FIFTH CAUSE OF ACTION**

16 **Violation of California Business & Professional Code § 17200 et seq.**

17 **(California Unfair Competition Law)**

18 **Against All Defendants**

19 75. In response to paragraph 75 of the Complaint, Defendant hereby re-
20 alleges and incorporates by reference each and every admission or denial contained
21 in the paragraphs above as though fully set forth herein.

22 76. In response to paragraph 76 of the Complaint, Defendant lacks
23 sufficient information to admit or deny, and on that basis, denies the allegations in
24 this paragraph.

25 77. In response to paragraph 77 of the Complaint, Defendant denies the
26 allegations in this paragraph.

27 78. In response to paragraph 78 of the Complaint, Defendant denies the
28 allegations in this paragraph.

1 79. In response to paragraph 79 of the Complaint, Defendant denies the
2 allegations in this paragraph.

3 80. In response to paragraph 80 of the Complaint, Defendant denies the
4 allegations in this paragraph.

5 81. In response to paragraph 81 of the Complaint, Defendant denies the
6 allegations in this paragraph.

7 82. In response to paragraph 82 of the Complaint, Defendant denies the
8 allegations in this paragraph.

9 83. In response to paragraph 83 of the Complaint, Defendant denies the
10 allegations in this paragraph.

11 84. In response to paragraph 84 of the Complaint, Defendant denies the
12 allegations in this paragraph.

13
14 **SIXTH CAUSE OF ACTION**

15 **Violation of Cartwright Act Against All Defendants**

16 85. In response to paragraph 85 of the Complaint, Defendant hereby re-
17 alleges and incorporates by reference each and every admission or denial contained
18 in the paragraphs above as though fully set forth herein.

19 86. In response to paragraph 86 of the Complaint, Defendant denies the
20 allegations in this paragraph.

21 87. In response to paragraph 87 of the Complaint, Defendant denies the
22 allegations in this paragraph.

23 88. In response to paragraph 88 of the Complaint, Defendant denies the
24 allegations in this paragraph.

25 89. In response to paragraph 98 of the Complaint, Defendant denies the
26 allegations in this paragraph.

27 90. In response to paragraph 90 of the Complaint, Defendant denies the
28 allegations in this paragraph.

EIGHTH [sic] CAUSE OF ACTION

Tortious Interference With Contract Against All Defendants

91. In response to paragraph 91 of the Complaint, Defendant hereby re-alleges and incorporates by reference each and every admission or denial contained in the paragraphs above as though fully set forth herein.

92. In response to paragraph 92 of the Complaint, Defendant denies the allegations in this paragraph.

93. In response to paragraph 93 of the Complaint, Defendant denies the allegations in this paragraph.

WHEREFORE, based on its denial of the allegations in the Complaint, Defendant prays that the Court dismiss the Complaint in its entirety, that Plaintiff not be awarded any of the relief sought in its prayer for judgment, and that Plaintiff pay all costs of this action, including Defendant's attorneys' fees and expenses.

AFFIRMATIVE DEFENSES

Defendant has not yet fully collected and reviewed all of the information and materials that may be relevant to the matters and issues raised herein. Accordingly, Defendant reserves the right to amend, modify, or expand their defenses and to take further positions as discovery proceeds in this matter.

FIRST AFFIRMATIVE DEFENSE

1. AS AND FOR A FIRST, SEPARATE AND AFFIRMATIVE DEFENSE TO SAID COMPLAINT, Defendant alleges that Plaintiff's Complaint and each cause of action contained therein fail to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

2. AS AND FOR A SECOND, SEPARATE AND AFFIRMATIVE

1 DEFENSE TO SAID COMPLAINT, Defendant alleges that Plaintiff has waived
2 and is estopped and barred from alleging the matters set forth in its Complaint and
3 each cause of action alleged therein.

4 **THIRD AFFIRMATIVE DEFENSE**

5 3. AS AND FOR A THIRD, SEPARATE AND AFFIRMATIVE
6 DEFENSE TO SAID COMPLAINT, Defendant alleges that Plaintiff's Complaint
7 and each cause of action alleged therein are barred by the doctrine of unclean
8 hands.

9 **FOURTH AFFIRMATIVE DEFENSE**

10 4. AS AND FOR A FOURTH, SEPARATE AND AFFIRMATIVE
11 DEFENSE TO SAID COMPLAINT, on information and belief, the Complaint and
12 every cause of action therein are barred by the statute of limitations.

13 **FIFTH AFFIRMATIVE DEFENSE**

14 5. AS AND FOR A FIFTH, SEPARATE AND AFFIRMATIVE
15 DEFENSE TO SAID COMPLAINT, the claims of Complainant are barred because
16 the purported liabilities of Defendant are based upon a defective legal theory.

17 **SIXTH AFFIRMATIVE DEFENSE**

18 6. AS AND FOR A SIXTH, SEPARATE AND AFFIRMATIVE
19 DEFENSE TO SAID COMPLAINT, Defendant has not performed any act and is
20 not performing any act that would constitute unfair business practices in violation
21 of California Civil Code §17200 *et seq.*

22 **SEVENTH AFFIRMATIVE DEFENSE**

23 7. AS AND FOR A SEVENTH, SEPARATE AND AFFIRMATIVE
24 DEFENSE TO SAID COMPLAINT, Defendant has not performed any act and is
25 not performing any act that would constitute unlawful sale of public property
26 because Defendant was in exchange with the City for a clear, present benefit that
27 reflects fair market value.

28 **EIGHTH AFFIRMATIVE DEFENSE**

1 8. AS AND FOR A EIGHTH, SEPARATE AND AFFIRMATIVE
2 DEFENSE TO SAID COMPLAINT, Defendant has not performed any act and is
3 not performing any act that would constitute unlawful sale of public property
4 because Defendant was in exchange with the City for a clear, present benefit that
5 reflects fair market value and was not assignment of value for future or uncertain
6 benefits.

7 **NINTH AFFIRMATIVE DEFENSE**

8 9. AS AND FOR A NINTH, SEPARATE AND AFFIRMATIVE
9 DEFENSE TO SAID COMPLAINT, Defendant has not performed any act and is
10 not performing any act that would constitute federal wire fraud because Defendant
11 has not used any means to commit or intend to commit any fraud against Plaintiff at
12 any relevant time alleged by Plaintiff's Complaint.

13 **TENTH AFFIRMATIVE DEFENSE**

14 10. AS AND FOR A TENTH, SEPARATE AND AFFIRMATIVE
15 DEFENSE TO SAID COMPLAINT, Defendant has not performed any act and is
16 not performing any act that would constitute violation of Sherman Act because
17 Defendant has not conducted any interstate commerce in bidding and purchasing
18 the subject property from the City of Industry at any relevant time alleged by
19 Plaintiff's Complaint.

20 **ELEVENTH AFFIRMATIVE DEFENSE**

21 11. AS AND FOR A ELEVENTH, SEPARATE AND AFFIRMATIVE
22 DEFENSE TO SAID COMPLAINT, Defendant has not performed any act and is
23 not performing any act that would constitute violation of Sherman Act because
24 Defendant has not commit or intend to commit any fraud against Plaintiff at any
25 relevant time alleged by Plaintiff's Complaint.

26 **TWELFTH AFFIRMATIVE DEFENSE**

27
28

1 12. AS AND FOR A TWELFTH, SEPARATE AND AFFIRMATIVE
2 DEFENSE TO SAID COMPLAINT, Defendant has not performed any act and is
3 not performing any act that would constitute violation of Cartwright Act because
4 Defendant has not commit or intend to commit, or conspire to commit any fraud
5 against Plaintiff at any relevant time alleged by Plaintiff's Complaint.

6 **THIRTEENTH AFFIRMATIVE DEFENSE**

7 13. AS AND FOR A THIRTEENTH, SEPARATE AND AFFIRMATIVE
8 DEFENSE TO SAID COMPLAINT, Defendant has not performed any act and is
9 not performing any act that would constitute tortious interference with contract
10 because Defendant has participated a legitimate business competition in bidding
11 and purchasing the subject property from the City of Industry at any relevant time
12 alleged by Plaintiff's Complaint.

13 **FOURTEENTH AFFIRMATIVE DEFENSE**

14 14. AS AND FOR A FOURTEENTH, SEPARATE AND
15 AFFIRMATIVE DEFENSE TO SAID COMPLAINT, Defendant has not
16 performed any act and is not performing any act that would constitute tortious
17 interference with contract because Defendant has a financial interest in bidding and
18 purchasing the subject property from the City of Industry at any relevant time
19 alleged by Plaintiff's Complaint.

20
21 **RESERVATION OF RIGHTS**

22 Defendant reserve the right to assert any and all additional affirmative
23 defenses the basis of which may be discovered during the course of discovery.

24
25 WHEREFORE, FRONTIER FASHION, INC. pray for Judgment as follows:

- 26 a) That Plaintiff take nothing by its Complaint;
27 b) That Defendant have judgment in their favor and against
28 Plaintiff on the claim set forth in Plaintiff's Complaint;

1 c) For a judicial declaration that the sale of the public land alleged
2 in Complaint is lawful;

3 d) For a judicial declaration that Defendant have not committed or
4 conspired to commit any fraud against Plaintiff as alleged in the Complaint;

5 e) For an award of punitive damages against Plaintiff for filing the
6 Complaint in bad faith;

7 f) That Plaintiff's request for damages be denied;

8 g) Plaintiff's Complaint be dismissed;

9 h) That Defendant be awarded reasonable attorney fees and costs
10 of suit incurred here; and

11 i) For such other and further relief as the Court determines to be
12 just and proper.

13
14 Dated: November 22, 2017

/s/Gary F. Wang

Gary F. Wang

LAW OFFICES OF GARY F. WANG

Attorneys for Defendant Fox Luggage, Inc.

REQUEST FOR JURY TRIAL

Defendant request a trial by jury on all jury triable issues in accordance with Rule 38(a) of the Federal Rules of Civil Procedure.

Dated: November 22, 2017

/s/Gary F. Wang

Gary F. Wang

LAW OFFICES OF GARY F. WANG

Attorneys for Defendant Fox Luggage, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2017, I caused the foregoing **[PROPOSED] DEFENDANT FOX LUGGAGE, INC.'S ANSWER TO PLAINTIFF'S FIRST AMENDED COMPLAINT AND REQUEST FOR JURY TRIAL** to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all counsel of record.

On November 22, 2017, I also served the **[PROPOSED] DEFENDANT FOX LUGGAGE, INC.'S ANSWER TO PLAINTIFF'S FIRST AMENDED COMPLAINT AND REQUEST FOR JURY TRIAL** on counsel for Plaintiff Oakley, Inc. via email as follows:

Alexander Chen, Esq.
William R. Walz, Esq.
Inhouse Co Law Firm
Yard House Restaurant Bldg.
7700 Irvine Center Dr. Suite 800
Irvine, CA 92618
alex@inhouseco.com
ww@inhouseco.com

Executed on November 22, 2017 at Pasadena, California.

/s/ Gary F. Wang

Gary F. Wang